



Council of the
European Union

Brussels, 13 June 2023
(OR. en)

10187/23

LIMITE

CORLX 551
CFSP/PESC 797
COAFR 180
CONUN 138
COARM 133
FIN 592

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL IMPLEMENTING DECISION implementing Decision
2010/788/CFSP concerning restrictive measures in view of the situation in
the Democratic Republic of the Congo

COUNCIL IMPLEMENTING DECISION (CFSP) 2023/...

of ...

**implementing Decision 2010/788/CFSP concerning restrictive measures
in view of the situation in the Democratic Republic of the Congo**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 31(2) thereof,

Having regard to Council Decision 2010/788/CFSP of 20 December 2010 concerning restrictive measures in view of the situation in the Democratic Republic of the Congo¹ and in particular Article 6(2) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

¹ OJ L 336, 21.12.2010, p. 30.

Whereas:

- (1) On 20 December 2010, the Council adopted Decision 2010/788/CFSP.
- (2) On 12 December 2016, the Council adopted Decision (CFSP) 2016/2231¹ in response to the obstruction of the electoral process and the human rights violations in the Democratic Republic of the Congo. Decision (CFSP) 2016/2231 amended Decision 2010/788/CFSP and introduced autonomous restrictive measures in Article 3(2) thereof.
- (3) Following the judgments of the General Court in cases T-93/22² and T-94/22³, the Council considers that two entries should be deleted from the list of natural or legal persons, entities and bodies set out in Annex II to Decision 2010/788/CFSP.
- (4) Decision 2010/788/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

¹ Council Decision (CFSP) 2016/2231 of 12 December 2016 amending Decision 2010/788/CFSP concerning restrictive measures against the Democratic Republic of the Congo (OJ L 336I, 12.12.2016, p. 7).

² Judgment of the General Court of 8 March 2023, Ramazani Shadary v Council, T-93/22, ECLI:EU:T:2023:122.

³ Judgment of the General Court of 8 March 2023, Mutondo v Council, T-94/22, ECLI:EU:T:2023:120.

Article 1

Annex II to Decision 2010/788/CFSP is amended as set out in the Annex to this Decision.

Article 2

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Done at ...,

For the Council

The President

ANNEX

The following entries are deleted from the list set out in Section A ('Persons') of Annex II to Decision 2010/788/CFSP:

- '8. Emmanuel Ramazani SHADARY;
 - 9. Kalev MUTONDO.'.
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